



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

LK

271 Cadman Plaza East

Brooklyn, New York 11201

June 22, 2009

BY ECF and Hand Delivery

The Honorable John Gleeson
United States District Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Jacobowitz et al.
Criminal Docket No. 04-558 (JG)

Dear Judge Gleeson:

On June 16, the Court unsealed documents 44, 77, 80, 86, 104, 106, 107, 109 and 133 in the above-captioned case for the limited purpose of allowing the government to review them. The government has completed its review and, as set forth in more detail below, believes that documents 80, 86, 109 and 133 may be unsealed but that the remaining documents should remain under seal.

The government believes document 80, which is a single sheet of paper dated December 19, 2005 concerning Victor Jacobowitz, may be unsealed. The government also believes that documents 86 and 109, which are letters dated January 31, 2006 and August 14, 2006 concerning Sholem Klein, may properly be unsealed. Finally, the government believes that document 133, which is a letter dated July 20, 2007 concerning Jacob Jacobowitz, should be unsealed. It does not appear that the letter was intended to be filed under seal. The government is prepared to provide copies of these documents to the relevant defense lawyers for their review.

The government believes that documents 44, 77, 104, 106, and 107 should remain under seal. Those documents concern matters, including but not limited to the health of Victor Jacobowitz, that Mr. Chiesa previously indicated he was not asking to unseal. If the Court would like further information about those documents, the government requests permission to

submit an ex parte letter to the Court under seal explaining its position and attaching the relevant documents.

Respectfully submitted,

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cc: Defense counsel (ECF)
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